



STATE OF MICHIGAN
IN THE 14th CIRCUIT COURT FOR THE COUNTY OF MUSKEGON

MELISSA L. MEYERS,

Plaintiff,

-vs-

HON. GREGORY C. PITTMAN
Circuit Court Judge

Case No.: 13-257503-PH

DANIEL WILLIAM RUDD,

Defendant.

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**PLAINTIFF'S MOTION FOR NUNC PRO TUNC ORDER
TO BRING PERSONAL PROTECTION ORDER INTO COMPLIANCE WITH MCR 3.706**

NOW COMES Plaintiff, Melissa L. Meyers ("Plaintiff"), by and through her attorneys, Bolhouse Baar & Hofstee, P.C. brings this Motion for a Nunc Pro Tunc Order to Bring Personal Protection Order into Compliance with MCR 3.706 and in support thereof states:

1. Plaintiff's Personal Protection Order was entered July 22, 2013 and was properly delivered to the Norton Shores Police Department and placed on LEIN. **EXHIBIT A**
2. Defendant filed a Motion to Terminate Personal Protection Order which was denied after a two (2) day trial.
3. The Court further ordered that Plaintiff's Personal Protection Order would continue until Plaintiff's legal representation of the Defendant's ex-wife, Andrea Averill, ceased.
4. An Order Regarding Motion to Terminate Personal Protection Order was entered on December 17, 2013 however, the same was not drafted on the approved SCAO Form and the information necessary pursuant to MCR 3.706 is absent. Additionally,

as drafted, the Order is not in an approved form accepted for placement on LEIN as is required by MCR 3.706. **EXHIBIT B.**

5. MCL 600.611 provides Circuit Courts with the jurisdiction and power to make any order including corrective orders without the necessity of a hearing that are necessary to fully effectuate the circuit courts' jurisdiction and judgments. *Freeman v Wayne Probate Judge*, 230 Mich 455, 460; 203 NW 158 (1925).
6. A nunc pro tunc order is an order made now of something which was actually previously done, to have effect as of the former date to supply an omission in the record of an action already had, but omitted through inadvertence or mistake. *Freeman v Wayne Probate Judge*, 230 Mich 455, 460; 203 NW 158 (1925).

WHEREFORE, Plaintiff prays that the Court enter the Nunc Pro Tunc Order attached as **EXHIBIT C.**

Respectfully submitted,

Dated: July 31, 2015

Bolhouse, Baar & Hofstee, P.C.

By:


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